



## City of Seattle

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### Department of Planning and Development

Diane M. Sugimura, Director

### **CITY OF SEATTLE ANALYSIS, RECOMMENDATION AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Numbers:** 3012746

**Applicant Name:** Caron Architecture, LLC

**Address of Proposal:** 521 Second Avenue West

#### **SUMMARY OF PROPOSED ACTIONS**

Land Use Application to allow a four-story structure containing 30 residential units and three live work units. Surface parking for six vehicles to be provided at-grade. Existing structure to be demolished.

The following approvals are required:

**Design Review - Seattle Municipal Code (SMC) Section 23.41**

**SEPA - Environmental Determination** pursuant to SMC 25.05

**SEPA DETERMINATION:** ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS  
☒ DNS with conditions\*  
☐ DNS involving non-exempt grading or demolition or  
involving another agency with jurisdiction

\* Notice of the Early Determination of Non-significance was published on April 12, 2012.

#### **PROJECT DESCRIPTION**

The ground level of the preferred scheme consists of a residential lobby, three loft units facing private interior courtyard and three commercial live / work units facing the street. The commercial live / work units will have direct, individual street access, while the loft units have ground level private amenity space. The second, third and fourth floors each have a mix of studios, one bedroom and two bedroom apartment units, for a total of nine units per floor. The roof of the building will be accessible and act as an amenity space for tenants with opportunities

for entertaining, gardening and relaxation. Parking is not required for this site, although six stalls will be provided in the rear of the lot, with direct access from the alley.

By the Recommendation meeting, the applicant had refined the design by placing the tower and vertical circulation on the north side of the proposed structure and differentiating the residential entrance from the live/work units.

## **SITE & VICINITY**

The roughly 7,200 sq. ft. site lies within a Neighborhood Commercial Three (NC3 40) zone with a 40 foot height limit within the Uptown Urban Village. A one story, commercial structure occupies the development site. The site's declension totals approximately six feet from the northeast to the southwest corner. The site does not have a mapped environmentally critical area.

A variety of building types and styles populate the immediate neighborhood. Newer buildings reflect zoning conditions that promote mixed uses with commercial spaces at the street front and residential dwelling units above. A pay surface parking lot occupies the site to the north. To the south is a two story structure housing the Seattle Fire Fighters Union Local 27. Several one story commercial structures with mostly restaurant and retail are located nearby. Seattle Center lies three blocks to the east. Kinnear Park sits at the western edge of the Uptown neighborhood.

## **ANALYSIS - DESIGN REVIEW**

### **Public Comments**

Approximately 5 members of the public attended the Early Design Review meeting. The following comments, issues and concerns were raised:

- It was stated that on street parking is very congested in the area and that more than 7-8 stalls should be provided on the site.
- It was stated that rental units are not good for the neighborhood.
- It was asked who would be responsible for maintaining the landscape elements such as those proposed to be on the roof (whereupon the applicants indicated that the building management would maintain the landscape).

DPD received two letters. One concerned about the lack of sufficient parking for the project and its contribution to spillover parking into an already overcrowded neighborhood. The project would generate more people looking for on-street parking and further decrease levels of service. The other letter focused on the building's potential to obstruct views.

## **GUIDELINES**

After visiting the site, considering the analysis of the site and context provided by the proponent, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified highest priority by letter and number from the

guidelines found in the City of Seattle’s “Design Review: Guidelines for Multi-family and Commercial Buildings”. The Neighborhood specific guidelines are summarized below. For the full text please visit the [Design Review website](#).

## **A Site Planning**

- A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.**

**Uptown-specific supplemental guidance:**

**Throughout Uptown new developments should, to the extent possible, be sited to further contribute to the neighborhood’s pedestrian character.**

**Uptown Urban and Heart of Uptown character areas encourage outdoor dining areas utilizing sidewalks and areas adjacent to sidewalks. Outdoor dining is especially encouraged for sites on block faces with southern exposure.**

- A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.**

At the Early Design Guidance Meeting, the Board stated that it was not convinced that north facing open space at grade was best due the shading the proposed building would cause and because that arrangement places a blank wall to the south and residential windows facing north. When the proponent explained that its rationale for placing both windows and open space on the north side was that the property in that direction is a surface parking lot and is thought to be unlikely to be developed in the near term and that there is a one story building on the south property line the Board stopped short of indicating the ground level open space should be moved to the south side.

When it considered the location of the rooftop open space the Board indicated that it should be located to the south in order to take advantage of light and views. It indicated that the architectural element which rises from the structure base to a point above the roof line should be maintained as a necessary element of the building expression, but, that it does not need to extend very far back from the front façade and should be designed so as to allow persons on the rood deck to approach as close to the southeast corner as possible.

- A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.**

**Uptown-specific supplemental guidance:**

**Throughout Uptown developments that respond outward to the public realm are preferred.**

- **Site outdoor spaces in accordance with the location and scale of adjacent streets, buildings, and uses.**

- Locate plazas intended for public use at or near grade to promote both a physical and visual connection to the street.
- Define outdoor spaces through a combination of building and landscaping, and discourage oversized spaces that lack containment.

Throughout Uptown site identity features such as art, signage or major public open space at gateway locations as identified on the map. Seek opportunities for welcoming signage that is specific to the Uptown Urban Center at gateway locations. Architecture should also reinforce gateway locations.

Within the Uptown Park character area, streetscape improvements should include where feasible a consistent park-like landscaped strip in the planting strip, as consistent with the historic pattern in the area.

In the Uptown Urban and Heart of Uptown character areas, encourage streetscapes that respond to unique conditions created by Seattle Center.

In the Heart of Uptown character area new development should provide when possible: a widened sidewalk through additional building setback at street level; or retail façade design with panels, sliding doors or other features that allow generous openings to the street.

In the Uptown Park character area, when retail and offices are located within the neighborhood, they should be designed to acknowledge and blend with the predominantly residential environment.

At the Early Design Guidance Meeting, the Board indicated the Uptown guidelines talk of park like planting strip. The Board noted this and indicated that the sidewalk realm should be green in areas and paved in others and varied in a logical way which related to the building uses.

- A-3 Entrances Visible from the Street.** Entries should be clearly identifiable and visible from the street.

**Uptown-specific supplemental guidance:**

Throughout Uptown, major entrances to developments should be prominent. The use of distinctive designs with historical references is strongly encouraged. Design, detailing, materials and landscaping may all be employed to this end. Building addresses and names (if applicable) should be located at entrances, tastefully crafted.

- A-4 Human Activity.** New development should be sited and designed to encourage human activity on the street.

**Uptown-specific supplemental guidance:**

A top priority within the Heart of Uptown character area is to promote active, customer-oriented retail storefronts at street level.

**Major retail spaces are encouraged on streets designated Large Scale Commercial Corridor as shown on the map.**

**Throughout Uptown encourage outdoor dining.**

- A-6 Transition between Residence and Street.** For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

**Uptown-specific supplemental guidance:**

***Front Setbacks***

***Where feasible, new development in the Uptown Park character area should consider landscaping any setback from the sidewalk. Landscaping within a setback should provide a transition from public to private space and define a boundary between these.***

***Where the incorporation of decorative gates and fencing may be necessary to delineate between public and private spaces, these features should be softened by landscaping where feasible.***

At the Early Design Guidance Meeting, the Board indicated that the live work units should have a commercial appearance and function in this location.

The Board stated that the residential entry should be strongly expressed. In the drawings shown the residential front door was next to and not well differentiated from that of a live work unit. It indicated that this condition needed improvement.

## **C. Architectural Elements and Materials**

- C-2 Architectural Concept and Consistency.** Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.

**Uptown-specific supplemental guidance:**

**Throughout Uptown buildings and landscaping should strive to create projects with an overall neat and cohesive appearance.**

At the Early Design Guidance Meeting, the Board discussed the architectural concept being developed and indicated it was likely to be a successful approach for this location.

- C-3 Human Scale.** The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.

**Uptown-specific supplemental guidance:**

**Throughout Uptown human-scaled architecture is strongly preferred. Proportion should be provided by such components as the detail of windows, doorways, and**

entries. Appropriate scale and proportion may also be influenced by the selection of building materials.

Architectural designs that create an impression of reduced size consistent with a pedestrian-oriented environment should be encouraged, especially in the Uptown Park and Heart of Uptown character areas.

Throughout Uptown size signs, exterior light fixtures, canopies and awnings to the scale of the building and the pedestrian. Signs that add creativity and individual expression to the design of storefronts are encouraged.

At the Early Design Guidance Meeting, the Board indicated the importance of measures to create a human scale around the development.

- C-4 Exterior Finish Materials.** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

**Uptown-specific supplemental guidance:**

Within the Uptown Park and Heart of Uptown character areas, the use of historic-looking brick and tile facades are strongly encouraged to create a more consistent, unified, and historic appearance throughout the district.

Throughout Uptown, decorative exterior treatments using brick, tile, and/or other interesting exterior finish materials are strongly preferred. Quality exterior finish materials should be incorporated at all levels and on all exterior walls.

At the Early Design Guidance Meeting, the Board discussed the importance of incorporating quality materials into the building and its site.

## **D. Pedestrian Environment**

- D-1 Pedestrian Open Spaces and Entrances.** Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

**Uptown-specific supplemental guidance:**

Throughout Uptown entries should be designed to be pedestrian friendly (via position, scale, architectural detailing, and materials) and should be clearly discernible to the pedestrian.

Throughout Uptown special attention to the pedestrian experience and street right-of-way should be given along pedestrian corridors as identified on the map (pg. VI).

**Throughout Uptown the use of a pedestrian-scaled streetlamp within all character areas is encouraged. In addition, streetscape features such as street clocks and benches are encouraged in Heart of Uptown and Uptown Urban character areas.**

**In the Uptown Urban and Heart of Uptown character areas, encourage Seattle Center campus redevelopment along its boundaries to either open vistas from Uptown into Seattle Center or to provide activation for the street.**

**Including amenities for transit riders in a building's design rather than the traditional use of curbside bus shelters generates a safer and more active street. In the Uptown Urban and Heart of Uptown character areas the elimination of curbside bus shelters is encouraged in retail areas as appropriate.**

At the Early Design Guidance Meeting, the Board discussed the importance of incorporating measures to insure the security of persons using the project open space.

## **E. Landscaping**

- E-2 Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.**

**Uptown-specific supplemental guidance:**

**Throughout Uptown, but especially within the Uptown Park character area, landscaping should be substantial and include a variety of textures and colors, to the extent possible. Landscaping should be used to enhance each site, including buildings, setbacks, entrances, open space areas, and to screen parking and other less visually attractive areas. Encourage planted containers at building entries.**

At the Early Design Guidance Meeting, Open space at grade, the Board indicated, needs to be well landscaped and designed in a way which “defends” it from any adjacent use, such as a surface parking lot.

- E-3 Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.**

At the Early Design Guidance Meeting, the Board discussed location of the landscaping in front of the live-work units and its consideration for the commercial character of the live work units.

## **MASTER USE PERMIT APPLICATION**

The applicant revised the design and applied for a Master Use Permit with a design review component on March 20, 2012.

## **DESIGN REVIEW BOARD RECOMMENDATION**

The Design Review Board conducted a Final Recommendation Meeting on October 17th, 2012 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meetings, site plans, elevations, floor plans, landscaping plans, and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

### **Public Comments**

One member of the public affixed her name to the Recommendation sign-in sheet. The speaker asked a series of questions related to height and water availability among others aspects of the proposal. The change in the tower placement was praised.

<b>A. Site Planning</b>
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- A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.**

**Uptown-specific supplemental guidance:**

**Throughout Uptown new developments should, to the extent possible, be sited to further contribute to the neighborhood's pedestrian character.**

**Uptown Urban and Heart of Uptown character areas encourage outdoor dining areas utilizing sidewalks and areas adjacent to sidewalks. Outdoor dining is especially encouraged for sites on block faces with southern exposure.**

- A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.**

**Uptown-specific supplemental guidance:**

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- **Site outdoor spaces in accordance with the location and scale of adjacent streets, buildings, and uses.**
- **Locate plazas intended for public use at or near grade to promote both a physical and visual connection to the street.**
- **Define outdoor spaces through a combination of building and landscaping, and discourage oversized spaces that lack containment.**

**Throughout Uptown site identity features such as art, signage or major public open space at gateway locations as identified on the map. Seek opportunities for**



welcoming signage that is specific to the Uptown Urban Center at gateway locations. Architecture should also reinforce gateway locations.

Within the Uptown Park character area, streetscape improvements should include where feasible a consistent park-like landscaped strip in the planting strip, as consistent with the historic pattern in the area.

In the Uptown Urban and Heart of Uptown character areas, encourage streetscapes that respond to unique conditions created by Seattle Center.

In the Heart of Uptown character area new development should provide when possible: a widened sidewalk through additional building setback at street level; or retail façade design with panels, sliding doors or other features that allow generous openings to the street.

In the Uptown Park character area, when retail and offices are located within the neighborhood, they should be designed to acknowledge and blend with the predominantly residential environment.

The redesign shows a continuous planting strip along Second Ave W. The Board did not expand upon its earlier guidance.

- A-3 Entrances Visible from the Street.** Entries should be clearly identifiable and visible from the street.

**Uptown-specific supplemental guidance:**

Throughout Uptown, major entrances to developments should be prominent. The use of distinctive designs with historical references is strongly encouraged. Design, detailing, materials and landscaping may all be employed to this end. Building addresses and names (if applicable) should be located at entrances, tastefully crafted.

See A-6 guidance.

- A-4 Human Activity.** New development should be sited and designed to encourage human activity on the street.

**Uptown-specific supplemental guidance:**

A top priority within the Heart of Uptown character area is to promote active, customer-oriented retail storefronts at street level.

Major retail spaces are encouraged on streets designated Large Scale Commercial Corridor as shown on the map.

Throughout Uptown encourage outdoor dining.

The applicant requested a departure from the height of the live/work units in order to create a mezzanine level. The Board recommended the consolidation of the three bathrooms for the commercial area of the live/work spaces into one bathroom located on the north side of the structure. Freeing this area in the work portions of the units will create a functionally better commercial space.

- A-6 Transition Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.**

**Uptown-specific supplemental guidance:**

**Front Setbacks**

**Where feasible, new development in the Uptown Park character area should consider landscaping any setback from the sidewalk. Landscaping within a setback should provide a transition from public to private space and define a boundary between these.**

**Where the incorporation of decorative gates and fencing may be necessary to delineate between public and private spaces, these features should be softened by landscaping where feasible.**

The change in design provides a recessed residential entry marked by a vertical bay differentiated in material and color from the rest of the elevation intended to accentuate the primary entry.

- A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.**

Based on early design guidance, the applicant responded to the Board's direction by relocating the at-grade patios for three units to the south side thus increasing the solar exposure. The open space amenity on the roof also received more exposure as the circulation and mechanical systems shifted to the structure's north side.

**C. Architectural Elements and Materials**

- C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.**

**Uptown-specific supplemental guidance:**

**Throughout Uptown buildings and landscaping should strive to create projects with an overall neat and cohesive appearance.**

The screen wall along the north elevation of the roof should have greater transparency. This will contribute light onto the roof deck and allow views from the roof garden back to Queen Anne Hill.

- C-3 Human Scale. The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.**

**Uptown-specific supplemental guidance:**

**Throughout Uptown human-scaled architecture is strongly preferred. Proportion should be provided by such components as the detail of windows, doorways, and entries. Appropriate scale and proportion may also be influenced by the selection of building materials.**

**Architectural designs that create an impression of reduced size consistent with a pedestrian-oriented environment should be encouraged, especially in the Uptown Park and Heart of Uptown character areas.**

**Throughout Uptown size signs, exterior light fixtures, canopies and awnings to the scale of the building and the pedestrian. Signs that add creativity and individual expression to the design of storefronts are encouraged.**

The Board appeared satisfied with the amount of detail.

- C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.**

**Uptown-specific supplemental guidance:**

**Within the Uptown Park and Heart of Uptown character areas, the use of historic-looking brick and tile facades are strongly encouraged to create a more consistent, unified, and historic appearance throughout the district.**

**Throughout Uptown, decorative exterior treatments using brick, tile, and/or other interesting exterior finish materials are strongly preferred. Quality exterior finish materials should be incorporated at all levels and on all exterior walls.**

The blank, north wall risks repeated tagging. The surface, at the lower levels, should be a material easily cleaned.

The Board urged the applicant to ensure that the north wall be well detailed. There was little in the packet to illustrate how this wall with its generous amounts of fiberboard would be detailed.

## **D. Pedestrian Environment**

- D-1 Pedestrian Open Spaces and Entrances.** Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

### **Uptown-specific supplemental guidance:**

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Including amenities for transit riders in a building's design rather than the traditional use of curbside bus shelters generates a safer and more active street. In the Uptown Urban and Heart of Uptown character areas the elimination of curbside bus shelters is encouraged in retail areas as appropriate.

The Board did not expand upon its earlier guidance for open space security as the patios were no longer adjacent to the parking lot.

## **E. Landscaping**

- E-2 Landscaping to Enhance the Building and/or Site.** Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.

### **Uptown-specific supplemental guidance:**

Throughout Uptown, but especially within the Uptown Park character area, landscaping should be substantial and include a variety of textures and colors, to the extent possible. Landscaping should be used to enhance each site, including

**buildings, setbacks, entrances, open space areas, and to screen parking and other less visually attractive areas. Encourage planted containers at building entries.**

The Board recommended placement of outdoor seating at the entry.

**E-3 Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.**

**Board Recommendations:** The recommendations summarized below were based on the plans submitted at the October 17th, 2012 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the October 17th public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the four Design Review Board members present unanimously recommended approval of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed below).

STANDARD	REQUIREMENT	REQUEST	JUSTIFICATION	RECOMMENDATION
1. Street Level Uses SMC 23.47A.005C.3	Residential uses may not exceed 20% of the street levels street façade when facing an arterial.	23.3% (14' of the 60' façade) is proposed as residential lobby.	▪ Allows for a gracious residential entry on a narrow site. (A-3)	Approved
2. Non-residential street level requirements SMC 23.47A.008B.3.b	Non-residential uses at street level shall have a floor-to-floor height of at least 13 feet.	The three live/work units have a floor to floor height of 16' for the front 16' of the space with a mezzanine dividing the rear portion into two, eight foot high foot areas.	▪ Provides 3' higher commercial spaces at street level than the Code requirement. The rear portion of the unit steps down to create more height. (A-2)	Approved upon condition for consolidating bathrooms for commercial use into one in the hallway/service area.

The Board recommended the following **CONDITIONS** for the project. (Authority referenced in the letter and number in parenthesis):

- 1) Consolidate the three bathrooms in the commercial zone of the live/work units to the service area along the north wall of the first floor. (A-4)
- 2) Provide transparency at the screen wall along the north elevation of the roof between the mechanical room and the elevator core in order to contribute light onto the roof deck and views back to Queen Anne Hill. (C-2)
- 3) Add outdoor seating at the entry. (E-2)

### **DIRECTOR'S ANALYSIS - DESIGN REVIEW**

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. The Director agrees with the conditions recommended by the four Board members and the recommendation to approve the design, as stated above.

## **DECISION - DESIGN REVIEW**

The proposed design is **CONDITIONALLY GRANTED**.

## **ANALYSIS - SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated March 2, 2012. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### **Short-term Impacts**

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following analyzes construction-related noise, air quality, earth, grading, construction impacts, traffic and parking impacts as well as its mitigation.

### **Noise**

Noise associated with construction of the mixed use building and future phases could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Prior to issuance of demolition, grading and building permits, the applicant will submit a construction noise mitigation plan. This plan will include steps 1) to limit noise decibel levels and duration and 2) procedures for advanced notice to surrounding properties. The plan will be subject to review and approval by DPD. In addition to the Noise Ordinance requirements to

reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:

- 1) Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
- 2) Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 3) Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 4) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

### Air Quality

Construction for this project is expected to add temporarily particulates to the air that will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the nearby residential buildings.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. In order to ensure that PSCAA will be notified of the proposed demolition, a condition will be included pursuant to SEPA authority under SMC 25.05.675A which requires that a copy of the PSCAA permit be attached to the demolition permit, prior to issuance. This will assure proper handling and disposal of asbestos.

### Earth

The Stormwater, Grading and Drainage Control Code (SGDCC) requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

### Grading

Excavation to construct the mixed use structure will be necessary. The maximum depth of the will be accommodate footings. An estimated 250 cubic yards of soil will be removed. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Future phases of construction will be subject to the same regulations. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

### Construction Impacts

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

### Traffic and Parking

Duration of construction of the apartment building may last approximately 14 months. During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities and parking (SMC 25.05.675 B and M). Parking utilization along streets in the vicinity is near capacity and the demand for parking by construction workers during construction would likely reduce the supply of parking in the vicinity. Due to the large scale of the project, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. Upon completion of the parking garage, construction workers shall park in the garage. In order to minimize adverse impacts, the applicant will need to provide a construction worker parking plan to reduce on-street parking until the new garage is completed and safe to use. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 250 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 25 round trips with 10-yard hauling trucks or 13 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Truck access to and from the site shall be documented in a construction traffic management plan, to be submitted to DPD and SDOT prior to the beginning of construction. This plan also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular consideration given to maintaining pedestrian access along Broadway.



Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area; increased demand for parking; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, green house gas emissions, historic preservation, traffic, and parking impacts.

### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

### Historic Preservation

A review by the Department of Neighborhoods determined that the existing structure, built in 1957, is unlikely, due in part to a loss of integrity, to meet the standards for designation as an individual landmark.

### Transportation

The 33 dwelling unit apartment building would likely generate an estimated 140 average daily vehicle trips with 13 trips occurring in the PM peak hour. DPD does not anticipate that the impacts would be significant. No SEPA mitigation of traffic impacts to the nearby intersections is warranted.

### Parking

The development site lies within the Uptown Urban Center which, based on the Land Use Code section 23.54.015, does not require residential off-street parking. The applicant intends to supply six on-site parking spaces. Based on a parking utilization study conducted by the consultant, TraffEx (dated September 19, 2012), the average utilization rate without the project is approximately 82.2 percent within the 800' walking distance of the site. The spillover parking from approximately 30 vehicles raises the parking utilization rate to slightly over 85 percent, the City's desired rate. Due to this increase, the traffic consultant recommends that the developer post transit and ride share information for the tenant use in the residential lobby.

## **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2C.

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

## **CONDITIONS – DESIGN REVIEW**

### **Prior to MUP Issuance**

Revise plans sets to show:

- 1) Consolidate and reduce the three bathrooms in the commercial zone of the live/work units to one bathroom in the service area on the first floor.
- 2) Provide transparency at the screen wall along the north elevation of the roof between the mechanical room and the elevator core in order to contribute light onto the roof deck and views back to Queen Anne Hill.
- 3) Add outdoor seating at the entry.

### **Prior to Building Application**

- 4) Include the departure matrix in the zoning summary section on all subsequent building permit plans. Add call-out notes on appropriate plan and elevation drawings in the updated MUP plans and on all subsequent building permit plans.

### **Prior to Commencement of Construction**

- 5) Arrange a pre-construction meeting with the building contractor, building inspector, and land use planner to discuss expectations and details of the Design Review component of the project.

### **Prior to Issuance of all Construction Permits**

- 6) Embed the MUP conditions in the cover sheet for all subsequent permits including updated building permit drawings.

Prior to Issuance of a Certificate of Occupancy

- 7) Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, 206.615-1392). An appointment with the assigned Land Use Planner must be made at least five (5) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

For the Life of the Project

- 8) Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bruce Rips, 206.615-1392). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

**CONDITIONS – SEPA**

Prior to Issuance of a Demolition, Grading, or Building Permit

- 9) Attach a copy of the PSCAA demolition permit to the building permit set of plans.
- 10) A construction traffic management plan shall be submitted to DPD and SDOT prior to the beginning of construction. This plan will identify off-street construction worker parking, construction materials staging area; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures. The intent of the construction worker parking plan is to reduce on-street parking until the new garage is constructed and safe to use.

During Construction

- 11) Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M.:
  - A. Surveying and layout.
  - B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
  - C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.
- 12) In addition to the Noise Ordinance, requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:
  - A. Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
  - B. Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

- C. Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
  - D. Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 13) Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.
- 14) Non-noisy activities, such as site security, monitoring, and weather protection shall not be limited by this condition.

For the Life of the Project

- 15) Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Bruce Rips, (206-615-1392) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved.
- 16) Post transit and ride share information for the tenant use in the residential lobby.

Signature: \_\_\_\_\_ (signature on file) Date: November 29, 2012  
Bruce P. Rips, AAIA, AICP  
Department of Planning and Development

BPR:bg

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